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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,378	09/21/1999	LEE E. CANNON	VLDT.65169	3374

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EXAMINER

BROCKETTI, JULIE K

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 01/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/400,378

Applicant(s)

CANNON, LEE E.

Examiner

Julie K Brockett

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-19, 21-23, 26-28, 31-34, 37-39, 41, 42, 44, 45 and 47-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-19, 21-23, 26-28, 31-34, 37-39, 41, 42, 44, 45 and 47-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12, 14-19, 21-23, 26-28, 31-34, 37, 38, 45, 47 and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The aforementioned independent claims all state "a central processing system including a memory having a plurality of memory locations identified by a unique address". This statement is indefinite. When one has a plurality of memory locations each location must be identified by a separate address not just one unique address or the individual memory locations would never be accessible.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1),

(2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 26-28, 39, 41, 42, 44, 56-60, 62, 63-67, 69-74, 77 and 78 rejected under 35 U.S.C. 102(e) as being anticipated by Burns et al., U.S. Patent No. 6,048,269. Burns et al. discloses a coinless slot machine system and method. The system has a central processing system with memory (Fig. 1, item 100 & col. 6 lines 33-36). It is inherent to computer systems that the memory has a plurality of locations identified memory addresses and that the memory locations can store values. The unique addresses are unique identifiers in the computer system for storing values. The gaming system also includes a permanent coded media, i.e. gaming coupons, having a unique identifier encoded on the paper slip. The unique identifier is also stored in the CPU's memory; it is inherent that the place where the identifier is stored in memory has a unique address (col. 4 lines 9-20 & col. 6 lines 21-36). A plurality of gaming machines each have an input slot for accepting the permanent encoded media and an output slot for distributed the encoded

media to players (Fig. 1, items 206 & 208 & col. 2 lines 39-47). The machine input accepts the encoded media and reads the unique identifier and transmits the identifier to the central processing system. The central processing system accepts the transmitted code and accesses data in its memory. When a player completes play at a machine, the central processor stores the data associated with the play in its memory. The machine dispenses an encoded media having a unique identifier, which is stored in the memory of the CPU. Consequently, the gaming machine has a bar code printer (Fig. 1, item 208 & col. 4 lines 10-20 & col. 6 lines 21-36). The encoding system used on the permanent encoded media is a bar code (col. 2 lines 39-43). The gaming machine also includes an input for accepting currency and transferring a signal to the CPU representing the value of the currency (Fig. 1 item 204). Consequently, the data stored in the central processing system includes an amount of credit to play the machine (col. 2 lines 32-38). It is also known that the central processing system may also include data comprising player demographic data (col. 1 lines 60-64 & col. 3 lines 26-53). The ability to use a magnetic stripe card as the encoded media is also disclosed (col. 7 lines 61-67). The gaming machines include a credit display that displays the amount of credit associated with the unique identifier on the encoded media (Figs. 5a & 5b & col. 5 lines 35-36). Burns et al. also discloses a plurality of change machines. The change machines have an input (Fig. 1, item 302) for accepting currency and encoded media, and an output for distributing currency and encoded media, i.e. gaming coupons (Fig. 1 item 306,

308). The change machine input accepts currency, transmits a signal representing the value of the currency and returns encoded media with a unique identifier. The machine input accepts the encoded media, reads the unique identifier and transmits a signal representing the unique identifier to the central processing system. The change machines are remote from the plurality of gaming machines (col. 3 lines 54-67 & col. 7 lines 5-39). Both the gaming machines and the change machines read the unique identifier on the gaming coupons by scanning a bar code and when the gaming coupons are distributed the encoding is done by printing a bar code on the coupon (Fig. 1, items 304 & 206 & Fig. 2). The input slot for both the gaming machine and the change machine is a combined bar code reader and currency reader.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-12, 14-19, 21-23, 31-34, 37, 38, 45 and 47-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al., U.S. Patent No. 6,048,269 in view of Behm et al., U.S. Patent No. 5,475,205. Burns discloses all of the limitations mentioned above. Burns et al. lacks in

specifically disclosing the deletion of the credit information from memory after being accessed. It is well known throughout the art to delete data from memory after the information is used and is no longer needed in the system. By deleting the information that is no longer needed, the computer system can function more productively. It can delete data so that it will not run out of memory or be overloaded with useless data. Burns et al. lacks in disclosing using a unique address from the central processors memory as the unique identifier printed on the gaming coupon.

Behm et al. teaches of a document verification system for lottery tickets. The lottery tickets are printed with bar codes containing ticket identity numbers, which uniquely identifies a ticket and is used as an address to locate the record of the redemption file for the ticket (See Behm col. 30 lines 46-52; Fig. 37). Consequently, the tickets have a permanent coded media encoded thereon a unique identifier that corresponds to the unique address in the central processing systems memory. It would have been obvious at the time the invention was made to use a unique address from the central processor memory as the unique identifier in the invention of Burns. The identifier is a unique control number randomly generated by the CPU in a well-known manner (col. 2 lines 57-60). It would be simple and convenient to use the memory addresses as the unique identifier for the gaming coupons, since the memory addresses hold the credit or ticket information associated with the gaming coupons.

Claims 61, 68, and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al. in view of Kelly et al., U.S. Patent No. 5,816,918. Burn et al. lacks in disclosing the use of smart cards as the coded media. Kelly et al. teaches of a prize redemption system for games. To use smart cards as encoded media in the machine is disclosed (col. 6 lines 47-50). It would have been obvious at the time the invention was made to use smart cards in the gaming machines of Burns et al. Smart cards work similar to magnetic strip cards. Player information is recorded on the cards so there is no need for them to have to carry money around. All transactions occur on the card; therefore the ability not to have to carry around large sums of money is desirable to a player.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al. in view of Behm et al. in view of Kelly et al., U.S. Patent No. 5,816,918. Burn et al. lacks in disclosing the use of smart cards as the coded media. Kelly et al. teaches of a prize redemption system for games. To use smart cards as encoded media in the machine is disclosed (col. 6 lines 47-50). It would have been obvious at the time the invention was made to use smart cards in the gaming machines of Burns et al. Smart cards work similar to magnetic strip cards. Player information is recorded on the cards so there is no need for them to have to carry money around. All transactions occur on the card; therefore the ability not to have to carry around large sums of money is desirable to a player.

Response to Amendment

It has been noted that claims 21, 47 and 65 have been amended. The Examiner also notes that in the clean copy of the claims submitted claim 68 is a duplicate of claim 69. In the copy of claim 68 that is entered into the case, from the original filing, it claims a smart card.

Response to Arguments

Applicant's arguments filed November 16, 2001 have been fully considered but they are not persuasive.

The Applicant argues that Burns does not disclose or suggest the use of a unique memory address as the encoded bar code. The Examiner agrees that Burns does not specifically disclose the use of a unique memory address as the encoded bar code. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a unique memory address as the encoded bar code. Burns et al. discloses that the identifier, i.e. bar code is a unique control number randomly generated by the CPU in a well-known manner (col. 2 lines 57-60). The Comprehensive Dictionary of Electrical Engineering defines an address to be "a unique identifier for the place where information is stored". It is well known for computers to use memory addresses as control numbers for tracking various items. It would be simple and convenient to use the memory addresses as the unique identifier for the

gaming coupons, since the memory addresses hold the credit information associated with the gaming coupons. Nevertheless, the rejection has been revised using Behm et al. which clearly teaches of encoding an address into the bar code thus rendering Applicant's arguments moot.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Citation of Relevant Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Swartz et al., U.S. Patent No. 5,923,735.

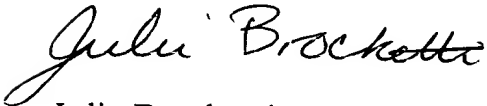
--Swartz et al. discloses a self-service checkout system. In the system a ticket is generated having a bar code printed thereon, wherein the bar code is encoded with the address of the customer's transaction file.

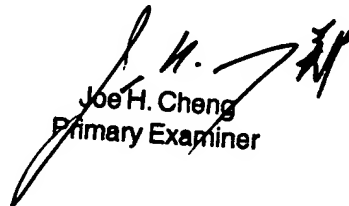
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie K Brockett whose telephone number is 703-308-7306. The examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703-308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7768 for regular communications and 703-305-3590 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.


Julie Brockett
January 9, 2002


Joe H. Cheng
Primary Examiner